

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RETRO ENVIRONMENTAL, INC./
GREEN JOBWORKS, LLC
Employers

and

Case 05-RC-153468

CONSTRUCTION AND MASTER LABORERS'
LOCAL 11, A/W LABORERS' INTERNATIONAL
UNION OF NORTH AMERICA (LIUNA)
Petitioner

ORDER

The Petitioner's Request for Review of the Regional Director's Decision and Order is granted as it raises substantial issues warranting review.

MARK GASTON PEARCE, CHAIRMAN

KENT Y. HIROZAWA, MEMBER

Member Miscimarra, dissenting:

I would deny the Petitioner's request for review because the record establishes the alleged joint employer operation employing the petitioned-for unit employees would cease to exist as of mid-July 2015. Accordingly, I believe the Regional Director properly dismissed the representation petition in reliance on *Davey McKee Corp.*, 308 NLRB 839, 839 (1992), and the request for review raises no substantial issues warranting review.

PHILIP A. MISCIMARRA, MEMBER

Dated, Washington, D.C., November 5, 2015.